

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN FEDERICO AND KEVIN LANEY,

Defendants.

Case No. 12-cr-00862-YGR-2

Case No. 12-cr-00862-YGR-3

CORRECTED

**ORDER RE: HEARING ON DEFENDANTS'
MOTION FOR ACQUITTAL OR NEW TRIAL**

Following an eleven-day bench trial, the Court issued its Findings of Fact and Conclusions of Law, adjudging defendant Kevin Laney guilty on Counts One and Two and defendant Brian Federico guilty on Counts One, Two, and Three and not guilty on Count Four and Five. (Dkt. No. 178.) Thereafter, defendants moved for acquittal pursuant to Federal Rule of Criminal Procedure 29 or, in the alternative, for a new trial pursuant to Rule 33. (Dkt. Nos. 180 ("Mot."), 181.) The government opposed the motion. (Dkt. No. 182.) Defendants did not file a reply by the deadline. Crim. L.R. 47-2(d).

The Court finds the motion suitable for resolution without oral argument. If any party objects to the contemplated approach, that party shall file a notice so advising the Court by **September 1, 2015**. Otherwise, the Court will vacate the hearing and issue an order on the papers.

IT IS SO ORDERED.

Dated: August 31, 2015



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE